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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Case No.: 3:23-cv-00566-MMD-CSD

Order

Re: ECF Nos. 1, 1-1

MELINA DULAY-SALCEDA,

Plaintiff

v.

SUN VALLEY GENERAL
IMPROVEMENT DISTRICT,

Defendant

Plaintiff has filed an application to proceed *in forma pauperis* (IFP) and civil complaint. The Local Rules of Practice for the District of Nevada provide: “Any person who is unable to prepay the fees in a civil case may apply to the court for authority to proceed *in forma pauperis* (IFP). The application must be made on the form provided by the court and must include a financial affidavit disclosing the applicant’s income, assets, and liabilities.” LSR 1-1.

Plaintiff’s IFP application indicates that her take-home pay or wages are \$2,100 bi-weekly. Plaintiff does not list any expenses, debts, dependents or other liabilities; therefore, the court cannot conclude based on this application that Plaintiff cannot pay the filing fee and is entitled to IFP status. Therefore, Plaintiff’s IFP application (ECF No. 1) is **DENIED** without prejudice.

Plaintiff has **30 days** from the date of this Order to either pay the \$402 filing fee (for actions filed before December 1, 2023, the filing fee is \$402, consisting of the \$350 filing fee and \$52 administrative fee), or file a new, complete IFP application. The Clerk shall **SEND** Plaintiff the instructions and application to proceed IFP for a non-inmate in case Plaintiff elects to file a new IFP application.

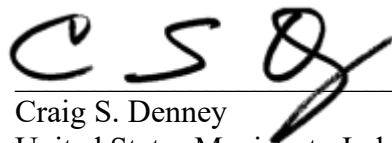
1 The court has also briefly reviewed Plaintiff's complaint which sues the Sun Valley
2 General Improvement District. Plaintiff's complaint does not indicate the basis for this court's
3 jurisdiction. Nor does it contain *any* facts. Instead, Plaintiff merely includes a notice of right to
4 sue letter from the U.S. Equal Employment Opportunity Commission (EEOC). As such,
5 Plaintiff's complaint (ECF No. 1-1) is **DISMISSED WITH LEAVE TO AMEND**. The Clerk
6 shall **SEND** Plaintiff the instructions and form complaint. Plaintiff has **30 days** from the date of
7 this Order to file an amended complaint that indicates the basis of this court's jurisdiction and
8 contains a factual and legal description that provide the basis for this lawsuit.

9 If Plaintiff fails to timely pay the filing fee or file a new completed IFP application and
10 file an amended complaint, the court will recommend dismissal of this action without prejudice.

11 If Plaintiff files a new completed IFP application and Plaintiff is granted IFP status, the
12 court will screen the complaint under 28 U.S.C. § 1915(e)(2)(B), which requires dismissal of a
13 complaint, or any portion thereof, that is frivolous or malicious, fails to state a claim upon which
14 relief may be granted, or seeks monetary relief against a defendant who is immune from such
15 relief.

16 **IT IS SO ORDERED.**

17 Dated: February 12, 2024

18 
19 Craig S. Denney
20 United States Magistrate Judge
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